

Application No. 09/221,099
Attorney Docket No.: 98-112

CLAIM AMENDMENTS
CLEAN FORM

Please **AMEND** the claims as follows:

- a1
1. (AMENDED) A method for promoting a sale of a substitute product, comprising:
receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;
transmitting said transaction data to a remote server of a manufacturer during a transaction session;
receiving information regarding a substitute product from said remote server; and
offering said substitute product to said consumer before the transaction session terminates.
- a2
17. (AMENDED) A method for promoting a sale of a substitute product, comprising:
receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;
transmitting said transaction data to a remote server of a manufacturer during a transaction session for determination of a possible substitute product to be offered to said consumer;
upon receipt of information regarding a substitute product from said remote server, offering said substitute product to said consumer before the transaction session terminates;
consummating a sale of said original product if at least one of
(a) no information regarding said substitute product is received from said remote server, and
(b) said consumer declines said offering; and
consummating a sale of said substitute product upon acceptance by said consumer of said offering.
- a3
27. (AMENDED) A method for promoting a sale of a substitute product, comprising:
receiving, from a remote retailer, transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal of the remote retailer during a transaction session;
determining a substitute product to be offered to said consumer; and
offering said substitute product to said consumer before the transaction session terminates.
- a4
40. (AMENDED) The method of claim 27 further comprising transmitting to [said] a server inventory information of a potential substitute of said original product.

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42. (AMENDED) A method of promoting a sale of a substitute product to a consumer, comprising:
receiving, from a remote point of sale terminal of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;
determining a substitute product to be offered to said consumer; and
transmitting information regarding said substitute product to said remote point of sale terminal for transmission to said consumer, before the transaction session terminates.

53. (AMENDED) A method of promoting a sale of a substitute product to a consumer, comprising:
receiving, from a remote point of sale terminal of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;
determining whether a substitute product is to be offered to said consumer;
if a substitute product is to be offered to said consumer, transmitting information regarding said substitute product to said remote point of sale terminal for transmission to said consumer, before the transaction session terminates.

55. (AMENDED) A method of promoting a sale of a substitute product to a consumer, comprising:
receiving, from a remote server of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;
determining a substitute product to be offered to said consumer; and
transmitting information regarding said substitute product to said remote server for transmission to said consumer, before the transaction session terminates.

60. (AMENDED) An apparatus for promoting a sale of a substitute product, comprising:
a storage device; and
a processor disposed in communication with the storage device;
the storage device storing a program for controlling the processor; and
the processor configured to
receive transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;
transmit said transaction data to a remote server of a manufacturer during a transaction session;
receive information regarding a substitute product from said remote server; and
transmit an offer of said substitute product to said consumer before the transaction session terminates.

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68. (AMENDED) An apparatus for promoting a sale of a substitute product, comprising:
a storage device; and
a processor disposed in communication with the storage device;
the storage device storing a program for controlling the processor; and
the processor configured to
receive, from a remote retailer, transaction data regarding an original product
presented for purchase by a consumer at a point of sale terminal of the remote retailer during a
transaction session;
determine a substitute product to be offered to said consumer; and
transmit an offer of said substitute product to said consumer before the transaction
session terminates.

75. (AMENDED) An apparatus for promoting a sale of a substitute product, comprising:
a storage device; and
a processor disposed in communication with the storage device;
the storage device storing a program for controlling the processor; and
the processor configured to
receive, from a remote point of sale terminal of a retailer, transaction data regarding
an original product presented for purchase by a consumer during a transaction session;
determine a substitute product to be offered to said consumer; and
transmit information regarding an offer of said substitute product to said remote
point of sale terminal for transmission to said consumer, before the transaction session terminates.

77. (AMENDED) An apparatus for promoting a sale of a substitute product, comprising:
a storage device; and
a processor disposed in communication with the storage device;
the storage device storing a program for controlling the processor; and
the processor configured to
receive, from a remote server of a retailer, transaction data regarding an original
product presented for purchase by a consumer during a transaction session;
determine a substitute product to be offered to said consumer; and
transmit information regarding an offer of said substitute product to said remote
server for transmission to said consumer, before the transaction session terminates.

79. (AMENDED) An apparatus for promoting a sale of a substitute product, comprising:
means for receiving transaction data regarding an original product presented for purchase by
a consumer at a point of sale terminal;
means for transmitting said transaction data to a remote server of a manufacturer during a
transaction session;
means for receiving information regarding a substitute product from said remote server; and
means for transmitting an offer of said substitute product to said consumer before the
transaction session terminates.

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80. (AMENDED) An apparatus for promoting a sale of a substitute product, comprising:
means for receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;
means for transmitting said transaction data to a remote server of a manufacturer during a transaction session for determination of a possible substitute product to be offered to said consumer;
means for transmitting an offer of said substitute product to said consumer before the transaction session terminates;
means for consummating a sale of said original product if at least one of (a) no information regarding said substitute product is received from said remote server, and (b) said consumer declines said offering; and
means for consummating a sale of said substitute product upon acceptance by said consumer of said offering.
81. (AMENDED) An apparatus for promoting a sale of a substitute product, comprising:
means for receiving, from a remote retailer, transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal of the remote retailer during a transaction session;
means for determining a substitute product to be offered to said consumer ; and
means for transmitting an offer of said substitute product to said consumer before the transaction session terminates.
82. (AMENDED) An apparatus for promoting a sale of a substitute product to a consumer, comprising:
means for receiving, from a remote point of sale terminal of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;
means for determining a substitute product to be offered to said consumer; and
means for transmitting information regarding an offer of said substitute product to said remote point of sale terminal prior to completion of said transaction session.
83. (AMENDED) A method of promoting a sale of a substitute product to a consumer, comprising:
means for receiving, from a remote server of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;
means for determining a substitute product to be offered to said consumer; and
means for transmitting information regarding an offer of said substitute product to said remote server for transmission to said consumer.

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84. (AMENDED) Computer executable software code stored on a computer readable medium, the code comprising:

code for receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;
code for transmitting said transaction data to a remote server of a manufacturer during a transaction session;
code for receiving information regarding a substitute product from said remote server; and
code for transmitting an offer of said substitute product to said consumer before the transaction session terminates.

85. (AMENDED) A computer readable medium having computer executable software code stored thereon, the code comprising:

code for receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;
code for transmitting said transaction data to a remote server of a manufacturer during a transaction session;
code for receiving information regarding a substitute product from said remote server; and
code for transmitting an offer of said substitute product to said consumer before the transaction session terminates.

86. (AMENDED) Computer executable software code stored on a computer readable medium, the code comprising:

code for receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;
code for transmitting said transaction data to a remote server of a manufacturer during a transaction session for determination of a possible substitute product to be offered to said consumer;
code for transmitting an offer of said substitute product to said consumer before the transaction session terminates;
code for consummating a sale of said original product if at least one of (a) no information regarding said substitute product is received from said remote server, and (b) said consumer declines said offering; and
code for consummating a sale of said substitute product upon acceptance by said consumer of said offering.

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87. (AMENDED) A computer readable medium having computer executable software code stored thereon, the code comprising:

code for receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;

code for transmitting said transaction data to a remote server of a manufacturer during a transaction session for determination of a possible substitute product to be offered to said consumer;

code for offering said substitute product to said consumer before the transaction session terminates;

code for consummating a sale of said original product if at least one of (a) no information regarding said substitute product is received from said remote server, and (b) said consumer declines said offering; and

code for consummating a sale of said substitute product upon acceptance by said consumer of said offering.

88. (AMENDED) Computer executable software code stored on a computer readable medium, the code comprising:

code for receiving, from a remote point of sale terminal of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;

code for determining a substitute product to be offered to said consumer; and

code for transmitting information regarding an offer of said substitute product to said remote point of sale terminal for transmission to said consumer, before the transaction session terminates.

89. (AMENDED) A computer readable medium having computer executable software code stored thereon, the code comprising:

code for receiving, from a remote point of sale terminal of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;

code for determining a substitute product to be offered to said consumer; and

code for transmitting information regarding an offer of said substitute product to said remote point of sale terminal for transmission to said consumer, before the transaction session terminates.

90. (AMENDED) Computer executable software code stored on a computer readable medium, the code comprising:

code for receiving, from a remote server of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;

code for determining a substitute product to be offered to said consumer; and

code for transmitting information regarding an offer of said substitute product to said remote server for transmission to said consumer, before the transaction session terminates.

91. (AMENDED) A computer readable medium having computer executable software code stored thereon, the code comprising:

code for receiving, from a remote server of a retailer, transaction data regarding an original product presented for purchase by a consumer during a transaction session;

code for determining a substitute product to be offered to said consumer; and

code for transmitting information regarding an offer of said substitute product to said remote server for transmission to said consumer, before the transaction session terminates.